

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

BRENT JACKSON

PLAINTIFF

v.

Case No. 06-2190

DETECTIVE LOCKHART, Fort  
Smith Police Department;  
JOHN JOPLIN, Public Defender's  
Office; STEVE TABOR, Prosecuting  
Attorney; SEBASTIAN COUNTY ADULT  
DETENTION CENTER; and JAMES MARSCHEWSKI,  
Judge, Sebastian County Circuit Court

DEFENDANTS

**ORDER**

Now on this 4th day of January 2007, there comes on for consideration the report and recommendation filed herein on December 5, 2006, by the Honorable Beverly Stites Jones, United States Magistrate Judge for the Western District of Arkansas. (Doc. 5). Plaintiff has not filed any objections to the report and recommendation. The Court notes that Plaintiff's mail was returned to the Clerk's office as undeliverable, however, Plaintiff has not provided the Court with another mailing address.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Plaintiff's Complaint is DISMISSED on the grounds the claims are frivolous, are asserted against individuals immune from suit, or are not cognizable under § 1983. See 28 U.S.C. § 1915(e)(2)(B)(i)-(iii) (IFP action, or any portion thereof, may be dismissed on such grounds at any time.) To the extent the

claims stemming from the currently pending charges are not barred by *Heck*, abstention under *Younger* is appropriate.

IT IS SO ORDERED.

/s/ Robert T. Dawson  
Honorable Robert T. Dawson  
United States District Judge